

REMARKS

A check in the amount of \$220 is enclosed to cover the one (1) additional independent claim in excess of three (3) independent claims.

The specification is objected to for the reasons noted in the official action, namely, failing to provide clear antecedent support for the traction motor, the traction gear, the steer gear, the steering motor, the steering gear, the traction motor shaft, the steering motor shaft, the input shaft of the traction gear, the miter gear, the output shaft and the vehicle framework. The above requested specification amendments are believed to overcome all of the raised informalities concerning this case. If any further amendment to the specification is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

With respect to terms the "input shaft of the traction gear," the "miter gear," and the "output shaft," the Applicant respectfully submits that the originally filed specification does, in fact, provide antecedent basis for those terms--see paragraphs 035, 013, 035, respectively. In addition, with respect to the term "framework", the claims are now amended to recite the term "chassis", instead of "framework," which has antecedent basis in the originally filed specification--see paragraphs 045 and 046, for example.

The drawings are objected to for the reasons noted in the official action, namely, the failure to show the framework, e.g., the chassis C. All of the raised drawing objections are believed to be overcome by the requested specification and drawing amendments. It is respectfully submitted that there is no new matter by any of the above requested specification or drawing amendments.

Claims 21-40 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Next, claims 21, 25 and 26 are rejected, under 35 U.S.C. § 103, as being unpatentable in view of Avitan `589 (United States Patent No. 5,128,598) in view of Nieminski et al. `839 (United States Patent No. 4,513,839). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The Applicant thanks the Examiner for indicating that claims 23, 24 and 27-40 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s). In accordance with this indication, the allowable subject matter of claim 23 is incorporated into independent claim 21 and that amended independent claim is now believed to be allowable. As claims 22, 24-26 and 34 all depend, either directly or indirectly, from this independent claim, those dependent claims are believed to be allowable as well.

In addition, claims 27, 35 and 37 are each appropriately revised, to be independent claims, and those amended independent claims are also now believed to be allowable. As claims 28-33 and 38-40 all depend, either directly or indirectly, from new independent claim 27 and as claim 36 depends from new independent claim 35, those dependent claims are believed to be allowable as well.

In view of the above claim cancellations and claim amendments, the Applicant respectfully submits that further comments concerning the applied prior art of Avitan `589 and/or Nieminski et al. `839 is not believed necessary. The Applicant also notes the remaining prior art cited in the official action. As none of that additional art is applied by the Examiner against the claims of this application, the Applicant is not providing any comments concerning that art as well.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

10/588,405

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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